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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No.: 8928

Ryoji ASADA et al

Attorney Docket: 28951.5415

Application No.: 10/552,439

Group Art Unit: 2622

Filed: October 6, 2005

Examiner: Chen, Chia

For: IMAGING APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
U.S. PATENT AND TRADEMARK OFFICE  
Customer Service Window  
Randolph Building, 401 Dulany Street  
Alexandria, VA 22313-1450

September 2, 2008

Sir:

In response to the Office Action mailed August 19, 2008, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-10) in the present application.

Applicants respectfully traverse the restriction requirement since the subject matter of all of claims 1-13 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, search and examination of the entire application could be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

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The Commissioner is hereby authorized to charge any fees due in connection with the present application, or credit any overpayment, to Deposit Account 19-4293.

Respectfully submitted,

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